

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

43.0 PURPOSE

To provide guidelines for completing, filing & posting required OSHA forms.
Which require employers to record work-related fatalities, injuries and illnesses.

43.1 DEFINITIONS

Injury or illness. An injury or illness is an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease, respiratory disorder, or poisoning. (Note: Injuries and illnesses are recordable only if they are new, work-related cases that meet one or more of the Part 1904 recording criteria.)

Physician or Other Licensed Health Care Professional. A physician or other licensed health care professional is an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to independently perform, or be delegated the responsibility to perform, the activities described by this regulation.

You. "You" means an employer as defined in Section 3 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 652).

OSHA 300 Form: Is called the Log of Work-Related Injuries
(See Appendix A)

OSHA 300A Form: Is the Summary of Work-Related Injuries and Illnesses
(See Appendix B)

OSHA Annual Summary Form: Is called the Injury and Illness Incident Report.
(See Appendix C)

Work Environment: "the establishment and other locations where one or more employees are working or are present as a condition of their employment. The work environment includes not only physical locations, but also the equipment or materials used by the employee during the course of his or her work."

43.2 RECORDING CRITERIA

Each employer required by this Part to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that is work-related, is a new case and meets one or more of the general recording criteria of § 1904.7 or the application to specific cases of § 1904.8 through § 1904.12.

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

43.3 DETERMINATION OF WORK-RELATEDNESS

You must consider an injury or illness to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in § 1904.5(b)(2) specifically applies (See Appendix D)

43.4 DETERMINATION OF NEW CASES

You must consider an injury or illness to be a "new case" if:

The employee has not previously experienced a recorded injury or illness of the same type that affects the same part of the body, or

The employee previously experienced a recorded injury or illness of the same type that affected the same part of the body but had recovered completely (all signs and symptoms had disappeared) from the previous injury or illness and an event or exposure in the work environment caused the signs or symptoms to reappear.

43.5 GENERAL RECORDING CRITERIA

You must consider an injury or illness to meet the general recording criteria, and therefore to be recordable, if it results in any of the following: death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness. You must also consider a case to meet the general recording criteria if it involves a significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness.

43.6 RECORDING CRITERIA FOR NEEDLE STICK AND SHARPS INJURIES

You must record all work-related needle stick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (as defined by 29 CFR 1910.1030). You must enter the case on the OSHA 300 Log as an injury. To protect the employee's privacy, you may not enter the employee's name on the OSHA 300 Log (see the requirements for privacy cases in paragraphs 1904.29(b)(6) through 1904.29(b)(9)).

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

43.7 RECORDING CRITERIA CRITERIA CASES INVOLVING MEDICAL REMOVAL UNDER OSHA STANDARDS

If an employee is medically removed under the medical surveillance requirements of an OSHA standard, you must record the case on the OSHA 300 Log.

You must enter each medical removal case on the OSHA 300 Log as either a case involving days away from work or a case involving restricted work activity, depending on how you decide to comply with the medical removal requirement. If the medical removal is the result of a chemical exposure, you must enter the case on the OSHA 300 Log by checking the "poisoning" box.

43.8 RECORDING CRITERIA CRITERIA CASES INVOLVING OCCUPATIONAL HEARING LOSS

If an employee's hearing test (audiogram) reveals that the employee has experienced a work-related Standard Threshold Shift (STS) in hearing in one or both ears, and the employee's total hearing level is 25 decibels (dB) or more above audiometric zero (averaged at 2000, 3000, and 4000 Hz) in the same ear(s) as the STS, you must record the case on the OSHA 300 Log.

43.9 RECORDING CRITERIA CRITERIA CASES INVOLVING TUBERCULOSIS CASES

If any of your employees has been occupationally exposed to anyone with a known case of active tuberculosis (TB), and that employee subsequently develops a tuberculosis infection, as evidenced by a positive skin test or diagnosis by a physician or other licensed health care professional, you must record the case on the OSHA 300 Log by checking the "respiratory condition" column.

43.10 FORMS

You must use OSHA 300, 300-A, and 301 forms, or equivalent forms, for recordable injuries and illnesses. The OSHA 300 form is called the Log of Work-Related Injuries and Illnesses, the 300-A is the Summary of Work-Related Injuries and Illnesses, and the OSHA 301 form is called the Injury and Illness Incident Report.

If you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the OSHA 300 Log under § 1904.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

43.11 COVERED EMPLOYEES

You must record on the OSHA 300 Log the recordable injuries and illnesses of all employees on your payroll, whether they are labor, executive, hourly, salary, part-time, seasonal, or migrant workers. You also must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day-to-day basis. If your business is organized as a sole proprietorship or partnership, the owner or partners are not considered employees for recordkeeping purposes.

Temporary Help: If you obtain employees from a temporary help service, employee leasing service, or personnel supply service, you must record these injuries and illnesses if you supervise these employees on a day-to-day basis.

Contractors: If the contractor's employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee's work on a day-to-day basis, you must record the injury or illness.

43.12 ANNUAL SUMMARY

At the end of each calendar year, you must:

Review the OSHA 300 Log to verify that the entries are complete and accurate, and correct any deficiencies identified;

Create an annual summary of injuries and illnesses recorded on the OSHA 300 Log;

Certify the summary; and Post the annual summary.

The highest ranking company official working at the establishment must certify that he or she has examined the OSHA 300 Log and that he or she reasonably believes, based on his or her knowledge of the process by which the information was recorded, that the annual summary is correct and complete.

You must post a copy of the annual summary in each establishment in a conspicuous place or places where notices to employees are customarily posted. You must ensure that the posted annual summary is not altered, defaced or covered by other material.

You must post the summary no later than February 1 of the year following the year covered by the records and keep the posting in place until April 30.

43.13 RETENTIONS AND UPDATING

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

You must save the OSHA 300 Log, the privacy case list (if one exists), the annual summary, and the OSHA 301 Incident Report forms for five (5) years following the end of the calendar year that these records cover.

During the storage period, you must update your stored OSHA 300 Logs to include newly discovered recordable injuries or illnesses and to show any changes that have occurred in the classification of previously recorded injuries and illnesses. If the description or outcome of a case changes, you must remove or line out the original entry and enter the new information.

You are not required to update the annual summary, but you may do so if you wish.

You are not required to update the OSHA 301 Incident Reports, but you may do so if you wish.

43.14 CHANGE IN BUSINESS OWNERSHIP

If your business changes ownership, you are responsible for recording and reporting work-related injuries and illnesses only for that period of the year during which you owned the establishment. You must transfer the Part 1904 records to the new owner. The new owner must save all records of the establishment kept by the prior owner, as required by § 1904.33 of this Part, but need not update or correct the records of the prior owner.

43.15 EMPLOYEE INVOLVEMENT

Your employees and their representatives must be involved in the recordkeeping system in several ways.

You must inform each employee of how he or she is to report an injury or illness to you.

You must provide limited access to your injury and illness records for your employees and their representatives.

43.16 PROHIBITION AGAINST DISCRIMINATION

Section 11(c) of the Act prohibits you from discriminating against an employee for reporting a work-related fatality, injury or illness. That provision of the Act also protects the employee who files a safety and health complaint, asks for access to the Part 1904 records, or otherwise exercises any rights afforded by the OSH Act.

43.17 REPORTING FATALITIES AND MULTIPLE HOSPITALIZATION INCIDENTS TO OSHA

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

Within eight (8) hours after the death of any employee from a work-related incident or the in-patient hospitalization of three or more employees as a result of a work-related incident, you must orally report the fatality/multiple hospitalization by telephone or in person to the Area Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, that is nearest to the site of the incident. You may also use the OSHA toll-free central telephone number, 1-800-321-OSHA (1-800-321-6742).

43.18 RETENTION AND UPDATING OF OLD FORMS

You must save your copies of the OSHA 200 and 101 forms for five years following the year to which they relate and continue to provide access to the data as though these forms were the OSHA 300 and 301 forms. You are not required to update your old 200 and 101 forms.

43.19 PRESERVATION OF RECORDS

Unless a specific occupational safety and health standard provides a different period of time, each employer shall assure the preservation and retention of records as follows:

"Employee medical records." The medical record for each employee shall be preserved and maintained for at least the duration of employment plus thirty (30) years, except that the following types of records need not be retained for any specified period:

Health insurance claims records maintained separately from the employer's medical program and its records,

First aid records (not including medical histories) of one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and the like which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, if made on-site by a non-physician and if maintained separately from the employer's medical program and its records, and

The medical records of employees who have worked for less than (1) year for the employer need not be retained beyond the term of employment if they are provided to the employee upon the termination of employment.

"Employee exposure records." Each employee exposure record shall be preserved and maintained for at least thirty (30) years, except that:

Background data to environmental (workplace) monitoring or measuring, such as laboratory reports and worksheets, need only be retained for one (1) year so long as the sampling results, the collection methodology (sampling plan), a description of the analytical and mathematical methods used, and a summary of other background data relevant to interpretation of the results obtained, are retained for at least thirty (30) years; and

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

Material safety data sheets and paragraph (c)(5)(iv) records concerning the identity of a substance or agent need not be retained for any specified period as long as some record of the identity (chemical name if known) of the substance or agent, where it was used, and when it was used is retained for at least thirty (30) years(1); and

(Material safety data sheets must be kept for those chemicals currently in use that are affected by the Hazard Communication Standard in accordance with 29 CFR 1910.1200(g).)

Biological monitoring results designated as exposure records by specific occupational safety and health standards shall be preserved and maintained as required by the specific standard.

"Analyses using exposure or medical records." Each analysis using exposure or medical records shall be preserved and maintained for at least thirty (30) years.

43.20 SARBANES - OXLEY ACT OF 2002

The Sarbanes-Oxley Act was signed into law on 30th July 2002, and introduced highly significant legislative changes to financial practice and corporate governance regulation. It introduced stringent new rules with the stated objective: "to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws".

At the park-level, written verification must be made each year that verifies that certain federally required data is truthful and has not been doctored or falsified. The written verification also certifies that signer understand the penalties applicable for filing falsified information.

The following certifications are required to be completed at the beginning of each calendar year.

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
20 C.F.R. Part 1910, 20 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	



CORPORATE RISK MANAGEMENT & SAFETY

To: All Safety Managers

From: Patrick Hoffman – VP Corporate Safety & Risk Management

Re: OSHA – Occupational Safety and Health Administration

Sarbanes - Oxley Act of 2002, (Public Company Accounting Reform and Investor Protection Act), subjects all regulatory requirements, company policy and procedures to audit(s). To make sure that your park is in compliance, please read, sign, date and return this form to my office via fax 972-606-0275.

Requirement

Cal/OSHA (CCR Title 8, Chapter 7, Subchapter 1, Article 2)

Employers must maintain a log of each occupational illness or injury, records containing details of such injury or illness and annual summary, (Cal/OSHA form 300). These must be kept for five years following the year of occurrence.

Potential Penalties for Noncompliance

Knowingly making any false statement or report is punishable by a fine or by imprisonment for not more than six months, or both.

Note: Cal/OSHA 300A Annual Summary form must be posted as outlined in Cal/OSHA (CCR Title 8, Chapter 7, Subchapter 1, Article 2, Section 14300.32).

Date _____

Print Your Name _____

Signature _____

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	



CORPORATE RISK MANAGEMENT & SAFETY

To: All Safety Managers

From: Patrick Hoffman – VP Corporate Safety & Risk Management

Re: OSHA – Occupational Safety and Health Administration

Sarbanes - Oxley Act of 2002, (Public Company Accounting Reform and Investor Protection Act), subjects all regulatory requirements, company policy and procedures to audit(s). To make sure that your park is in compliance, please read, sign, date and return this form to my office via fax 972-606-0275.

Requirement

Cal/OSHA (Title 8, Chapter 4, Subchapter 7, Introduction Section 3204(d))
With some exceptions, employers must keep employee medical records and records of toxic exposure and analysis based thereon for the duration of employment plus thirty years.

Potential Penalties for Noncompliance

Penalties determined Cal/OSHA compliance administration board.

Date_____

Print Your Name_____

Signature_____

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
20 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	



CORPORATE RISK MANAGEMENT & SAFETY

To: All Safety Managers

From: Patrick Hoffman – VP Corporate Safety & Risk Management

Re: HIPAA – Health Insurance Portability and Accountability Act

Sarbanes - Oxley Act of 2002, (Public Company Accounting Reform and Investor Protection Act), subjects all regulatory requirements, company policy and procedures to audit(s). To make sure that your park is in compliance, please read, sign, date and return this form to my office via fax 972-606-0275.

Requirement

HIPAA (42 U.S.C. 1320d – 5,6) Prohibits the disclosure of private health information without authorization.

Potential Penalties for Noncompliance

Up to \$25,000 per calendar year. For intentional violations, potential penalties include fines of up to \$250,000 and imprisonment for up to ten years.

Note) Request for health information must be accompanied by a HIPAA release form signed by the patient.

Date_____

Print Your Name_____

Signature_____

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time to review the instructions, search existing data sources, gathering the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing the burden, to Washington, DC 20503, and to the Office of Management and Budget, Paperwork Project (0704-0188). Do not send comments to the Office of Management and Budget, Paperwork Project (0704-0188).

SIX FLAGS NEW ENGLAND

SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS

SAFETY REFERENCE MANUAL

SECTION: 43

EFFECTIVE: January 2016

SUPERSEDES: ALL PREVIOUS

29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002

Appendix B



Year 20

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OSHA no. 1218-0176

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employers, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35. At OSHA's accompanying rule for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
(a)	(b)	(c)	(d)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
(e)	(f)

Injury and Illness Types

Total number of ...	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
(g)						

Post this Summary page from February 1 to April 30 of the year following the year covered by the forms.

Public reporting burden for the collection of information is estimated to average 50 minutes per response, including time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing the burden, to Washington, DC 20503. Do not send this information to the office.

Establishment information

Your establishment name _____

Street _____

City _____

State _____

ZIP _____

Industry description (e.g., Manufacturer of motor truck engines)

Standard Industrial Classification (SIC), if known (e.g., 3715)

OSHA _____

North American Industrial Classification (NAICS), if known (e.g., 33612)

Employment information (If you don't have these figures, see the Handbook on the back of this page to estimate.)

Annual average number of employees _____

Total hours worked by all employees last year _____

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company signature _____

Title _____

Date _____

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

Appendix C



Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Form approved OSHA no. 1218-0176

OSHA's Form 301
Injury and Illness Incident Report

This *Injury and Illness Incident Report* is one of the first forms you must fill out when a recordable work-related injury or illness has occurred. Together with the *Log of Work-Related Injuries and Illnesses* and the accompanying *Summary*, these forms help the employer and OSHA develop a picture of the extent and severity of work-related incidents.

Within 7 calendar days after you receive information that a recordable work-related injury or illness has occurred, you must fill out this form or an equivalent. Some state workers' compensation, insurance, or other reports may be acceptable substitutes. To be considered an equivalent form, any substitute must contain all the information asked for on this form.

According to Public Law 91-596 and 29 CFR 1904, OSHA's recordkeeping rule, you must keep this form on file for 5 years following the year to which it pertains.

If you need additional copies of this form, you may photocopy and use as many as you need.

Completed by _____
Title _____
Phone (____) _____-____ Date ____/____/____

Information about the employee

- 1) Full name _____
2) Street _____
City _____ State _____ ZIP _____
3) Date of birth ____/____/____
4) Date hired ____/____/____
5) ☐ Male ☐ Female

Information about the physician or other health care professional

- 6) Name of physician or other health care professional _____
7) If treatment was given away from the workplace, where was it given? _____
Facility _____
Street _____
City _____ State _____ ZIP _____
8) Was employee or treated in an emergency room?
☐ Yes ☐ No
9) Was employee or hospitalized overnight as an in-patient?
☐ Yes ☐ No

Information about the case

- 10) Case number from the Log _____ (Transfer the case number from the Log after you receive this case.)
11) Date of injury or illness ____/____/____
12) Time employee began work _____ AM / PM
13) Time of event _____ AM / PM ☐ Check if time cannot be determined
14) What was the employee doing just before the incident occurred? Describe the activity as well as the tools, equipment, or material the employee was using. Be specific. Example: "climbing a ladder while carrying roofing materials"; "spraying chlorine from hand sprayer"; "daily computer key-entry."
15) What happened? Tell us how the injury occurred. Example: "When ladder slipped on wet floor, worker fell 70 feet"; "Worker was sprayed with chlorine when gradient broke during repair cement"; "Worker developed soreness in wrist over time."
16) What was the injury or illness? Tell us the part of the body that was affected and how it was affected; be more specific than "hurt," "pain," or "sore." Example: "strained back"; "chemical burn, hand"; "carpal tunnel syndrome."
17) What object or substance directly harmed the employee? Example: "concrete floor"; "chlorine"; "radial arm saw." If this question does not apply to the incident, leave it blank.
18) If the employee died when did death occur? Date of death ____/____/____

SIX FLAGS NEW ENGLAND	
SUBJECT: RECORD KEEPING, RECORD RETENTION & SARBANES - OXLEY ACT OF 2002 REQUIREMENTS	SAFETY REFERENCE MANUAL
SECTION: 43	
EFFECTIVE: January 2016	SUPERSEDES: ALL PREVIOUS
29 CFR Part 1904, 29 C.F.R. 1910.1020(d) & Sarbanes - Oxley Act of 2002	

Appendix D

1904.5(b)(2)	You are not required to record injuries and illnesses if . . .
(i)	At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
(ii)	The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside the work environment.
(iii)	The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness, or recreational activity such as blood donation, physical examination, flu shot, exercise class, racquetball, or baseball.
(iv)	<p>The injury or illness is solely the result of an employee eating, drinking, or preparing food or drink for personal consumption (whether bought on the employer's premises or brought in). For example, if the employee is injured by choking on a sandwich while in the employer's establishment, the case would not be considered work-related.</p> <p>Note: If the employee is made ill by ingesting food contaminated by workplace contaminants (such as lead), or gets food poisoning from food supplied by the employer, the case would be considered work-related.</p>
(v)	The injury or illness is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of the employee's assigned working hours.
(vi)	The injury or illness is solely the result of personal grooming, self medication for a non-work-related condition, or is intentionally self-inflicted.
(vii)	The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.
(viii)	The illness is the common cold or flu (Note: contagious diseases such as tuberculosis, brucellosis, hepatitis A, or plague are considered work-related if the employee is infected at work).
(ix)	The illness is a mental illness. Mental illness will not be considered work-related unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (psychiatrist, psychologist, psychiatric nurse practitioner, etc.) stating that the employee has a mental illness that is work-related.